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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,838	06/19/2003	Toshihiko Fukuhara	59,391 (72039)	6359
21874 7590 10/29/2007 EDWARDS ANGELL PALMER & DODGE LLP P.O. BOX 55874 BOSTON, MA 02205			EXAMINER SINGH, SATWANT K	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 10/29/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/600,838

Applicant(s)

FUKUHARA ET AL.

Examiner

Satwant K. Singh

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 June 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN  
PRIMARY EXAMINER

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

1. This office action is in response to the amendment filed on 12 June 2007.

### ***Response to Arguments***

2. Applicant's arguments filed 12 June 2007 have been fully considered but they are not persuasive. Applicant argues that "concealing" of data referred to in Chrisop is not the same thing as the "destruction of stored image data by the image data destruction unit" claimed in the current application. The examiner respectfully disagrees. As stated on page 3, paragraph [0036], concealing encompasses erasing which is described on page 2, paragraph [0016] which lists several methods of erasing the memory to prevent access to the stored data memory.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 recites the limitation "processing the image data" in line 7. It is unclear as to if the recited image data is the newly processed image data or the image data that is already stored. There is insufficient antecedent basis for this limitation in the claim.
5. Claim 6 recites the limitation "processing the image data" in line 10. It is unclear as to if the recited image data is the newly processed image data or the image data that is already stored. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chrisop et al. (US 2001/0025343) in view of Yamada et al. (US 7,113,291).

8. Regarding Claim 1, Chrisop et al teach Regarding Claim 1, Chrisop et al teach an image processing device comprising: an image data storage unit for temporarily storing an image data to be processed (Fig. 1, S110) (store image data to copier memory) (page 3, paragraph [0031]); an image data destruction unit for destructing the image data stored in said image data storage unit (Fig. 1, S135, automatically overwrite copier memory with bit mask) (page 3, paragraph [0031]); and an operation restricting unit for restricting storage of an image data to be newly processed and the operation for processing the image data when said image data destruction unit destructs the stored image data (physical destruction to prevent access to an entire optical memory) (page 2, paragraph [0016]).

Chrisop et al fail to teach an image processing device comprising: an operation unit with a display for determining various settings.

Yamada et al teaches an image processing device comprising: an operation unit with a display for determining various settings (Fig. 3, operation panel 300) (fol. 4, lines 20-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Chrisop with the teaching of Yamada to allow a user to set the control operation of the copy machine

9. Regarding Claim 2, Chrisop et al teach an image processing device, wherein said operation unit comprises a destruction designating unit for demanding said image data destruction unit to destruct the stored image data (Fig. 1, S135, automatically overwrite copier memory with bit mask) (page 3, paragraph [0031]).

10. Regarding Claim 3, Chrisop et al teach an image processing device, wherein said image data destruction unit destructs a related information required for processing the image data together with the image data stored in said image data storage unit (image data is overwritten) (page 3, paragraph [0031]).

11. Regarding Claim 4, Chrisop et al teach an image processing device, wherein said operation restricting unit comprises a function to restrict the operation for processing the image data (page 2, paragraph [0017]) (concealing information stored in at least one memory) (page 5, Claim 1).

Chrisop et al fail to teach an image processing device, displaying information related to the restriction on the display of said operation unit.

Yamada et al teaches an image processing device, displaying information related to the restriction on the display of said operation unit (message of "this document cannot be printed" is displayed on liquid crystal display) (col. 7, lines 16-26).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Chrisop with the teaching of Yamada to display the printing restriction message on the display of the copier.

12. Regarding Claim 5, Chrisop et al fail to teach an image processing device, wherein said operation unit comprises a function to cancel the restriction by the operation restricting unit provided to the operation for processing the image data when a predetermined operation has been verified while said operation restricting unit is restricting the operation for processing the image data.

Yamada et al teaches an image processing device, wherein said operation unit comprises a function to cancel the restriction by the operation restricting unit provided to the operation for processing the image data when a predetermined operation has been verified while said operation restricting unit is restricting the operation for processing the image data (retrieval of control operation) (col. 7, lines 31-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Chrisop with the teaching of Yamada to allow a user to override the printing restriction.

13. Regarding Claim 6, Chrisop et al teach an image processing device comprising: an image data storage unit for temporarily storing an image data to be processed to an image data storage region (Fig. 1, S110) (store image data to copier memory) (page 3, paragraph [0031]); an image data destruction unit for destructing said image data storage region (Fig. 1, S135, automatically overwrite copier memory with bit mask) (page 3, paragraph [0031]); an operation restricting unit for restricting storage of an

image data to be newly processed and the operation for processing the image data when said image data destruction unit destructs the stored image data (physical destruction to prevent access to an entire optical memory) (page 2, paragraph [0016]).

Chrisop et al fail to teach an image processing device comprising: an operation unit with a display for determining various settings; and a notifying unit for notifying the completion of destruction of said image data storage region by said image data destruction unit to a predetermined specific right holder.

Yamada et al teaches an image processing device, comprising: an operation unit with a display for determining various settings (Fig. 3, operation panel 300) (fol. 4, lines 20-39); and a notifying unit for notifying the completion of destruction of said image data storage region by said image data destruction unit to a predetermined specific right holder (LCD displays the print condition currently set in digital copy machine and the internal status) (col. 4, lines 31-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Chrisop with the teaching of Yamada to notify the user when the data erasure is complete.

14. Regarding Claim 7, Chrisop et al fail to teach an image processing device, wherein said notifying unit enables a notifying condition to be selected.

Yamada et al teaches an image processing device, wherein said notifying unit enables a notifying condition to be selected (operator depresses touch panel to input the print condition) (col. 4, lines 31-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Chrisop with the teaching of Yamada to allow a user to set the control operation of the copy machine.

15. Regarding Claim 8, Chrisop teach an image processing device, wherein said notifying condition of said notifying unit is selected between an output using a printer function and an output performed by transmitting a notification image data via a network (present invention adopted for use with any digital document processor) (page 4, paragraph [00414]).

16. Regarding Claim 9, Chrisop et al fail to teach an image processing device wherein said notifying unit outputs a notice corresponding to a selected notifying condition when all areas of said image data storage region of said image storage unit have been destructed completely by said image data destruction unit.

Yamada et al teaches an image processing device wherein said notifying unit outputs a notice corresponding to a selected notifying condition when all areas of said image data storage region of said image storage unit have been destructed completely by said image data destruction unit (LCD displays the print condition currently set in digital copy machine and the internal status) (col. 4, lines 31-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Chrisop with the teaching of Yamada to notify the user of the erasure of image data.

17. Regarding Claim 10, Chrisop teaches an image processing device, wherein said image data destruction unit comprises a function to destruct a related information



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required for processing the image data together with the image data stored in said image data storage unit (image data is overwritten) (page 3, paragraph [0031]).

18. Regarding Claim 11, Chrisop teaches an image processing device comprising: an image data storage unit for temporarily storing an image data to be processed to an image data storage region (Fig. 1, S110) (store image data to copier memory) (page 3, paragraph [0031]); and an image data destruction unit for destructing said image data storage region unit (Fig. 1, S135, automatically overwrite copier memory with bit mask) (page 3, paragraph [0031]).

Chrisop et al fails to teach an image processing device comprising: an operation unit with a display for determining various settings; and a notifying unit for notifying the completion of destruction of said image data storage region by said image data destruction unit to a predetermined specific right holder.

Yamada et al teaches an image processing device comprising: an operation unit with a display for determining various settings (Fig. 3, operation panel 300) (fol. 4, lines 20-39); and a notifying unit for notifying the completion of destruction of said image data storage region by said image data destruction unit to a predetermined specific right holder (LCD displays the print condition currently set in digital copy machine and the internal status) (col. 4, lines 31-39).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to have combined the teachings of Chrisop with the teaching of Yamada to allow a user to set the control operation of the copy machine and notify them when the operation has been completed.

***Conclusion***

19. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Satwant K. Singh whose telephone number is (571) 272-7468. The examiner can normally be reached on Monday thru Friday 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



sks

Satwant K. Singh  
Examiner  
Art Unit 2625



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